

TITLE 13. PUBLIC SAFETY**CHAPTER 6. DEPARTMENT OF PUBLIC SAFETY
SECURITY GUARDS**

(Authority: A.R.S. § 32-2402(C) et seq.)

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ARTICLE 1. GENERAL PROVISIONS**R13-6-01. Submission of application**

- A.** All applications for a license, registration certificate, or identification card must be presented in person by the applicant at the Arizona Department of Public Safety office in Phoenix, Tucson, Flagstaff, or Yuma by appointment. Each application must be complete, correct, and legible before acceptance. Each application will be examined for errors; if the application is found to be inaccurate, incomplete, or illegible, the application will be rejected.
- B.** Each application shall be accompanied by the following documents where applicable:
 - 1. Birth certificate
 - 2. Discharge papers (DD 214)
 - 3. Incorporation papers
 - 4. Insurance certificate
 - 5. Application fee
 - 6. Workman's Compensation certificate
 - 7. Training program
- C.** Photographs and a set of classifiable fingerprints will be taken of the applicant at the Department of Public Safety at the time the application is received at the Department of Public Safety. It is mandatory that the fingerprint cards be of such quality as to be classifiable. In the event that the fingerprint cards are not classifiable, the processing of the application will cease until such time as a classifiable set of fingerprints is obtained.
- D.** A separate application must be filed by each partner of a partnership and all persons who are holders of more than 10% of the controlling interest of the agency, each director, resident officer, manager or security guard.
- E.** If the applicant is a corporation, the license shall be in the name of the corporation and the qualifying party.
- F.** Applications will not be accepted from persons under the age of 18 years.

Historical Note

Former Rule 1.

R13-6-02. License information

- A.** Each license shall contain the name and address of the licensee, name and address of the licensed business, and the number of the license. The license shall be effective for a 12-month period from the date of issuance, and these effective dates shall be noted on the license.
- B.** When a license has been assigned to a licensee, this license shall be neither assignable nor transferable. The license number, when assigned, shall not be reassigned to any other license.
- C.** If a licensee wishes to surrender his license before the expiration date, the license fee or any part thereof shall not be refunded. The license shall be posted in a conspicuous place in the principle office.

Historical Note

Former Rule 2.

R13-6-03. Branch office certificates

- A.** Issuance of a branch office certificate shall be mandatory. The branch office certificate shall be posted in a conspicuous place in the branch office. The license number under which a branch office certificate is issued shall be noted on the certificate, along with the name and address of the licensee, name of the business and address of the branch office, and the effective dates of the license.
- B.** All employees of a branch office shall be employees of the licensed agency.
- C.** A branch office is not a franchise operation of a licensee. A franchise operation of a licensee must be licensed as a separate agency.

Historical Note

Former Rule 3.

R13-6-04. Identification cards

- A.** Under each license issued a standard identification card, as prescribed by the Director, shall be issued to the licensee, managers, officers, partners, directors, associates, and security guards, after these individuals have filed an application with the Department of Public Safety and have met the qualifications where applicable. The identification card shall contain the following information:
 - 1. Name.
 - 2. Physical description.
 - 3. Photograph.
 - 4. Signature.
 - 5. Fingerprint.
 - 6. Name and address of licensee.
 - 7. Number of employer license.
 - 8. Number of card.
 - 9. Effective date of license.
 - 10. Arizona state seal.
- B.** Identification cards are neither assignable nor transferable and are valid only during the effective dates of the license under which the card has been issued, and valid only as long as the card holder is employed by, or associated with the licensee.
- C.** Upon the termination of a registered security guard, the agency licensee or his designee shall obtain the identification

card of said employee and return the same to the Department of Public Safety within five days.

- D. Upon termination of employment, all employee identification cards must be returned to the licensed employing agency.
- E. All security guard employees shall obtain a standard identification card. All security guards employed by more than one licensee shall obtain an identification card for each licensed agency. The security guard, so employed, shall use only the identification card for his current employer during the employment by that licensee.
- F. If an identification card is lost or stolen, the Department of Public Safety shall be notified within 24 hours and arrangements shall be made for issuance of a duplicate identification card. A provisional identification card may be issued to an employee of a licensee pending the certification of the employee and the processing of the investigation into the employee's background.
- G. The provisional identification card issued by the Department of Public Safety will have the expiration date written thereon and may be cancelled prior to that expiration date for good cause by notifying the licensee that the employee was found not to be qualified to hold an identification card issued by the state.
- H. When the licensee is notified that an employee is not qualified to perform the duties of a security guard in this state, the licensee shall obtain the identification card or provisional identification card of the employee and forward same to the Department of Public Safety within five days.
- I. Every licensee and every person holding a security guard registration certificate shall have the identification card (issued to such person by the Department of Public Safety), in his immediate possession at all times when on duty or in a security guard agency uniform or vehicle, and display the same, upon demand of any peace officer.
- J. Every application for a renewal security guard registration should contain a statement by the licensed agency, setting forth the training, if any, the renewal applicant has received as prescribed by A.R.S. § 32-2632.

Historical Note

Former Rule 4.

R13-6-05. License notification

- A. The applicant for an original license, branch office certificate, security guard registration certificate, or identification card, or renewal of same, will be notified by mail when the document applied for is ready for issuance.
- B. The applicant will be advised whether or not a personal appearance at the Department of Public Safety will be required.
- C. Upon the payment of applicable fees and (where required) evidence of continuing qualification, the application will be approved and the proper document issued.

Historical Note

Former Rule 5.

R13-6-06. Registered security guard - renewal of identification card

- A. The identification card issued to registered security guards shall be valid during continuing employment with the named licensed agency.
- B. Upon termination, the employee shall return the identification card to the agency named on the identification card.
- C. When a registered security guard has not worked as a security guard for a period of six months or more and desires to resume employment as a security guard, it will be necessary that the registered security guard be again fingerprinted and his qualifications reappraised. A temporary identification card may be issued during the time necessary for reappraisal.

Historical Note

Former Rule 6.

R13-6-07. Denial of applications: hearing

- A. If the Director or his designate determines that an applicant for a license does not possess the qualifications as prescribed by A.R.S. §§ 32-2612, 32-2615, or grounds have been established as set forth under A.R.S. § 32-2636, the applicant will be notified by registered mail of a hearing date, at which time the applicant may offer evidence to show cause why his application should not be denied.
- B. If the Director or his designate determines that an applicant for security guard registration certificate does not possess the qualifications as prescribed by A.R.S. § 32-2622, or grounds have been established as set forth under A.R.S. § 32-2625, the applicant and his employer will be notified by registered mail, at which time the applicant may offer evidence to show cause why his application should not be denied.
- C. The applicant will be notified of the date and time of the hearing which will not be less than 20 days after the applicant's receipt of hearing notification. Hearings will be held in compliance with A.R.S. § 32-2636.
- D. A hearing officer will be designated by the Director. If the applicant does not appear at the hearing, the applicant will be notified by registered mail of the hearing findings. In all cases assigned to the hearing officer for hearing, the hearing officer shall prepare proposed findings from fact and conclusion of law in such form that they may be adopted as the Director's findings and conclusions in the case. Upon the filing of the proposed findings and conclusions for the Director, the Director may review the case and make his decision based upon the record.

Historical Note

Former Rule 7.

R13-6-08. License - termination date and renewal

- A. The agency license shall expire 12 months from the date of issuance. The effective dates of the license shall also be the effective dates of the branch office certificate. Identification cards issued under each license shall remain in effect during the current status of the license. At the time the licensee submits a license renewal form, included shall be a statement to be signed by the licensee that no changes have been made in the location of principle office, branch office, associates, directors, partners, managers holding identification cards, and that none of the aforementioned have been changed without the Director being notified in writing prior to the renewal date. This statement shall also include a statement that the licensee has not been arrested or convicted of any felony or any crime of moral turpitude, or otherwise done anything which would disqualify the licensee from obtaining such license, since having been licensed as a security guard agency.
- B. No licensee shall transfer, assign, or make any change in the financial set up of his business which in any way results in any other person acquiring an interest of 10% or more in such business, or corporation holding such business, without the person acquiring such interest first complying with the provisions of A.R.S. §§ 32-2612 and 32-2613.
- C. All forms, affidavits, or other documents required for renewal of an agency license shall be submitted not less than 30 days prior to the expiration date of the license. If the license or branch office certificate has not been renewed before the expiration date, they shall expire. The expired license and all branch office certificates and identification cards issued under

that license shall be returned to the Department of Public Safety and are subject to seizure by any officer of the Department of Public Safety or by any peace officer.

Historical Note

Former Rule 8.

R13-6-09. Revocation or suspension of license or registration certificate

- A. If the Director, or his designate, determines grounds for revocation or suspension of a license or registration certificate, as set forth under A.R.S. § 32-2636, the licensee will be notified by registered mail at his licensed place of business of the facts involved.
- B. The licensee or registered security guard and his employer will be notified of the date and time of the hearing on the revocation or suspension of the license or registration certificate which will be not less than 20 days after the applicant's receipt of hearing notification. Hearings will be held in compliance with A.R.S. § 32-2636 before a hearing officer designated by the Director. If the licensee or registered security guard does not appear at the hearing the licensee or registered security guard will be notified by registered mail of the hearing findings.
- C. If a license or registration certificate is revoked by the Director, the former licensee or security guard cannot apply for reinstatement for a period of 12 months from the date of revocation. In all cases of revocation, it will be necessary to apply for reinstatement by filing an application form as prescribed by the Director and all applicants for reinstatement are then subject to the original application fee and cost of license upon issuance.
- D. Upon revocation of a license or registration certificate, the license or registration certificate and all branch office certificates and identification cards issued under that license shall be returned to the Department of Public Safety immediately for cancellation and are thereby subject to seizure by any peace officer in the state of Arizona.
- E. Upon the suspension of a registration certificate, the holder of the suspended registration certificate shall not perform the duties of security guard.
- F. Failure to comply with these provisions will provide cause for revocation of the license or certificate.

Historical Note

Former Rule 9.

R13-6-10. Employee records, business records

Each licensee shall maintain at his principle place of business a file or record of the name, address, title, commencing date, and date of termination on each partner, director, business associate, officer, manager, or employee of the principle office and branch offices. These records shall be maintained for a period of two years.

Historical Note

Former Rule 10.

R13-6-11. Personal representative or fiduciary acting for licensee

A person acting as administrator, executor or guardian of the estate of any licensee is authorized, if found to be qualified and upon receiving permission from the Director, to operate the licensed security guard agency under the authority of the license issued to the licensee for whom the person is acting for a period not exceeding six months from the date of the appointment of such person as administrator, executor or guardian.

Historical Note

Former Rule 11.

R13-6-12. Firearms violations

- A. No licensee or security guard employee of a licensee shall conduct himself in such a manner as to violate A.R.S. § 13-911, relating to concealed weapons.
- B. No licensee or security guard employee of a licensee shall conduct himself in such a manner as to violate A.R.S. § 13-913, carrying weapons into election and polling place.
- C. No licensee or security guard employee of a licensee shall conduct himself in such a manner as to violate A.R.S. § 13-916, exhibiting a deadly weapon other than in self-defense.
- D. No licensee or employee of a licensee shall conduct himself in such a manner as to violate A.R.S. § 13-917, handling, carrying, or discharging firearms.

Historical Note

Former Rule 12.

R13-6-13. Complaints

Complaints shall be in writing and shall be filed with the Department of Public Safety. A copy may be forwarded to the licensee against whom the complaint has been lodged at the direction of the Director. If the complaint involved alleged violations of Arizona Revised Statutes or these regulations, the Department of Public Safety may institute an investigation to ascertain if the violation has, in fact occurred. When an investigation indicates that there has in fact been a violation of the Arizona Revised Statutes or rules and regulations contained herein, the Director or his designate determine grounds for suspension or revocation of the license, procedures, as outlined in these laws and regulations, will be followed.

Historical Note

Former Rule 14.

R13-6-14. Use of name

- A. The name of the licensed agency shall not include, "United States", "U.S.", "Federal", "State of Arizona", or any name to associate the business with any other governmental agency or law enforcement agency.
- B. The use of the words "Corporation", "Corp.", "Incorporated", or "Inc." will not be approved for an individual or partnership license unless corporate papers have been filed with the Corporation Commission.
- C. Similar business names of licensed firms will not be approved.
- D. The licensee, business associates, and employees will do business and present themselves under the name used in their application and identification card. No fictitious names will be approved for use on identification cards.
- E. The licensed business shall do all business under the name and address which is on file with the Director and which is noted on the license. No letterhead other than the licensed name shall be used on any stationery, any advertising, formal contracts entered into with clients, payroll, and reports to clients.

Historical Note

Former Rule 15.

R13-6-15. Uniforms, badges, insignia

- A. No uniforms, shoulder patches, or badges shall be worn by any licensee or any of his employees without the prior written approval of the Director of the Department of Public Safety.
- B. No licensee or officer, director, partner, manager, or an employee of a licensee shall use a title, or wear a uniform, or use an insignia, or use an identification card, or make any statement with the intent to give an impression that he is connected in any way with the Federal Government, a state government, or any political subdivision of a state government.
- C. Shoulder identification patches shall be worn on all uniform jackets, coats, and shirts and bear the name of the security guard agency when worn as an outer garment.

- D. The shoulder patches shall not be less than two inches by three inches in size.
- E. No badge worn by a security guard agency shall bear markings similar to the markings used by any law enforcement agency of the Federal Government, the state, or any political subdivision thereof.
- F. No seals, insignia, similar to any law enforcement agency or the words, "Police", "Police Officer", "Patrol Officer", "Patrolman", "Deputy", or "Marshal" shall appear on the badge.
- G. All badges, uniforms, and shoulder patches shall be submitted to the Director of the Department of Public Safety for written approval.
- H. All badges so approved shall be displayed only in conjunction with the security guard agency uniform.
- I. Those agencies who are licensed prior to February 28, 1975, will have until February 28, 1976, to comply with this regulation.

Historical Note

Former Rule 16.

R13-6-16. Vehicle markings, emblems, and insignia

- A. No vehicle under the control of a security guard service shall bear markings similar to the markings used by any law enforcement agency of the Federal Government, the state, or any political subdivision thereof.
- B. No seals, insignia, or the words "Police", "Police Officer", "Patrol Officer", "Marshal", "Deputy", or "Patrolman" shall appear on the vehicle.
- C. All markings to be displayed on a vehicle under the control of a security guard agency must be submitted to the Director of the Department of Public Safety for written approval.
- D. All vehicles under the control of a security guard agency will comply with the provisions of A.R.S. § 28-947(C).
- E. No vehicle under the control of a security guard service shall display a red light other than to the rear. No such vehicle shall display a device, visible from the front of said vehicle, which might appear to be a red lamp.
- F. With the exception of armored cars using a siren as a crime alarm device, no vehicle under the control of a security guard company shall be equipped with a siren or bell.

Historical Note

Former Rule 17.

R13-6-17. Liability insurance

- A. An application for an original or renewal agency license shall provide a current certificate of a liability insurance policy issued by an insurance company licensed to do business in this state, in the amount of at least \$100,000.00 for any one person and an aggregate total of at least \$300,000.00.
- B. The liability insurance coverage shall be for the legal liability for damages resulting from:
 - 1. Bodily injury: Covers legal liability for personal injury arising out of an occurrence involved in the operation of the agency.
 - 2. Property damage liability: Covers legal liability for damage to property of others arising out of any occurrence involved in the operation of the agency.
 - 3. Personal injury coverage: Covers legal liability for damages resulting from personal injury, including, but not limited to false arrest, false imprisonment, detention, libel and slander, malicious prosecution, invasion of privacy, wrongful eviction or wrongful entry, discrimination; limits as shown in subsection (A) above.

Historical Note

Former Rule 18.

R13-6-18. Absence of qualifying party

No qualifying party operating under a security guard agency license shall leave his licensed place of business, while operating under the management of someone other than himself, for a period of 30 days or more without filing in writing with the Department of Public Safety, giving the name of the person designated by him to conduct the business during his absence.

Historical Note

Former Rule 19.

R13-6-19. Knowledge of laws and regulations required

All licensees and their employees, whose duties require or permit their performance as a security guard, shall be familiar with the laws relating to security guards and the regulations of the Department of Public Safety relating to security guards.

Historical Note

Former Rule 20.